

CHAPTER NO. 948

SENATE BILL NO. 3059

By Ford

Substituted for: House Bill No. 2756

By Bowers, John DeBerry

AN ACT To amend Tennessee Code Annotated, Title 13, Chapter 20 and Title 13, Chapter 21, relative to redevelopment of blighted areas.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 13-21-202, is amended by deleting subdivision (1) and substituting instead the following:

(1) (A) "Blighted" or "deteriorated" property means any vacant structure or vacant or unimproved lot or parcel, whether residential, commercial or industrial, in a predominantly built-up neighborhood:

(i) Which because of physical condition or use is regarded as a public nuisance at common law or has been declared a public nuisance in accordance with local housing, building, plumbing, fire or related codes;

(ii) Which because of physical condition, use or occupancy is considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations, and unsafe fences or structures;

(iii) Which, because it is dilapidated, unsanitary, unsafe, vermin-infested or lacking in the facilities and equipment required by the housing code of the municipality, has been designated by the appropriate agency or department responsible for enforcement of the code as unfit for human habitation;

(iv) Which is a fire hazard, or is otherwise dangerous to the safety of persons or property;

(v) From which the utilities, plumbing, heating, sewerage or other facilities have been disconnected, destroyed, removed, or rendered ineffective so that the property is unfit for its intended use;

(vi) Which by reason of neglect or lack of maintenance has become a place for accumulation of trash and debris, or a haven for rodents or other vermin;

(vii) Which has been tax delinquent for a period of at least three (3) years; or

(viii) Which has not been rehabilitated within the time constraints placed upon the owner by the appropriate code enforcement agency.

(B) "Blighted" or "deteriorated" does not apply to any property used for agricultural purposes:

SECTION 2. Tennessee Code Annotated, Section 13-21-202(3), is amended by deleting the language "residential, commercial and related uses" and substituting instead the language "residential, commercial, industrial, and related uses".

SECTION 3. Tennessee Code Annotated, Section 13-21-202, is amended by deleting subdivision (4) and substituting instead the following:

(4) "Residential, commercial, industrial, and related use" means residential or commercial or industrial property for sale, lease or rental and related uses; such related uses include, but are not limited to, park and recreation areas, neighborhood community service, parking lots or structures, and any use which is consistent with and/or complementary to the existing properties in the area; and


SECTION 4. Tennessee Code Annotated, Section 13-21-204, is amended by deleting the language "residential, commercial and related use" and substituting instead the language "residential, commercial, industrial, and related use".

SECTION 5. Tennessee Code Annotated, Section 13-21-205(a)(5), is amended by deleting the language "residential, commercial and related use" and substituting instead the language "residential, commercial, industrial, and related use".


SECTION 6. This act shall take effect upon becoming law, the public welfare requiring it.

PASSED: April 28, 1998


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 11th day of May 1998


DON SUNDQUIST, GOVERNOR